

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 803 - HB 1064**

March 23, 2021

**SUMMARY OF ORIGINAL BILL:** Establishes that a landlord is not liable for negligence in renting, leasing, or providing housing opportunities to persons convicted of a criminal offense unless certain criteria are met. Prohibits the admission of evidence concerning a renter's previous conviction in a cause of action against such landlords except in certain circumstances.

**FISCAL IMPACT OF ORIGINAL BILL:**

NOT SIGNIFICANT

**IMPACT TO COMMERCE OF ORIGINAL BILL:**

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (004332):** Deletes and rewrites all language after the enacting clause such that the substantive changes: (1) establish that landlords are not liable for negligence in renting, leasing, or providing housing opportunities to persons convicted of certain criminal offenses except when the landlord had actual knowledge of the person's prior conviction; (2) establish specific criminal offenses of which the tenant must have been convicted of; and (3) extend applicability to employees and agents of landlords.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- The proposed language is not estimated to result in a significant decrease in the number of actions brought against public housing authorities; therefore, any decrease in local expenditures is considered not significant.
- Any civil actions occurring between private parties will not result in any significant fiscal impact to state or local government.

- The proposed language is not estimated to result in a significant decrease in the number of cases brought before local courts; therefore, any decrease in local expenditures is considered not significant.

## **IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumption for the bill as amended:

- Removing liability from landlords in such instances will not result in any significant impact to jobs or commerce in Tennessee.

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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